

April 11, 2007

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'07 APR 12 P2:49

Honorable Linda B. Rieggle  
U. S. Bankruptcy Judge  
Courtroom 1  
300 Las Vegas Blvd South  
Las Vegas, NV 89101

U.S. BANKRUPTCY COURT  
DISTRICT OF NEVADA  
CLERK OF COURT

Subject: Hearing Notice regarding USA Commercial Mortgage, etc.  
on April 26, 2007 - case BK-S-06-10725LBR

Dear Judge Rieggle:

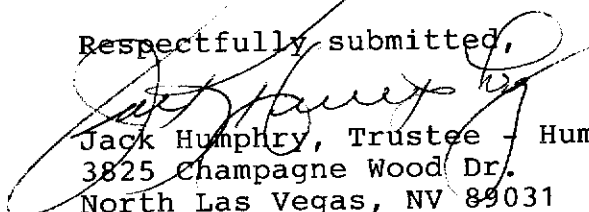
I am in receipt of a Court Claim Filing by Lewis and Roca, LLP with the United States Bankruptcy Judge to be heard on April 26, 2007 at 9:30 AM objecting to my claim as a direct lender to specific properties used as collateral.

I Strongly object to their allegation to reclassify my claim from secured to unsecured based on the following facts.

I initially invested through USA Commercial Mortgage as a direct lender to specific named properties. All subsequent statements received from USA Capital linked my individual investments to these specifically identified property borrowers and further, all interest received was also identified as paid by each specific property borrower. Based on these facts, completely substantiated, I strongly assert that my loans to these individual property borrowers are completely collateralized.

Copies of statements received from USA Capital indicating specific loans to specific properties are enclosed for your review.

Respectfully submitted,

  
Jack Humphry, Trustee - Humphry 1999 Trust  
3825 Champagne Wood Dr.  
North Las Vegas, NV 89031

Copy to: Lewis and Roca, LLP  
3993 Howard Hughes Parkway - Suite 600  
Las Vegas, NV 89169-5996

HUMPHRY 1999 TRUST  
C/O JACK & ALICE HUMPHRY TTEES  
3825 CHAMPAGNE WOOD DR  
NORTH LAS VEGAS, NV 89031-2056

**PLEASE NOTE THAT THE DEBTOR IS OBJECTING TO THE CLAIM THAT YOU FILED.  
PLEASE REVIEW THE NOTICE AND OBJECTION FOR DEADLINES TO RESPOND.**

## **Cover Sheet**

### **USA COMMERCIAL MORTGAGE COMPANY**

**Claims Asserting Secured Status - Reclassify as General Unsecured Claims**

<u>Claimant</u>	<u>Case Number</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Priority</u>
HUMPHRY 1999 TRUST C/O JACK & ALICE HUMPHRY TTEES 3825 CHAMPAGNE WOOD DR NORTH LAS VEGAS, NV 89031-2056	06-10725	10725-00588	10/13/2006	\$186,631.00	S

# USA Commercial Mortgage Company

## Investor History Report

Vesting: Jack Humphry & Alice Humphry Trustees of the Humphry 1999 Trust

Loan: Placer Vineyards

Client ID: 4113

Account ID: 3476

Loan Interest Rate: 12.50%

Original Service Fee: 0.00%

Current Service Fee: 1.00%

Date	Transaction	Investment	Principal Paid by Borrower	Principal Paid to Investor	Principal Owed to Investor	Unsecured / Diverted Principal	Interest Earned	Loan Service Fee Retained by USACM	Interest Paid by Borrower Net of Service Fee	Cumulative Amount Due Net of Service Fee	Interest Paid to Investor	Cumulative Amount Held for Investor
02/01/2007	PRIOR MONTH ENDING BALANCES-	\$75,000.00					\$21,051.18	\$920.83	\$8,546.34	\$11,586.02	\$11,484.37	\$2.5
02/28/2007	Interest and Service Fee (2/1 - 2/28)	\$75,000.00					\$850.59	\$62.50		\$12,373.11		\$2.5
03/12/2007	Prepetition Service Fee Waiver	\$75,000.00						(\$275.00)		\$12,648.11		(\$2.5)
03/12/2007	Recoupment of Prepaid Interest	\$75,000.00								\$12,648.11	(\$1,369.30)	(\$1.5)
TOTALS:		\$75,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21,901.78	\$708.33	\$8,546.34	\$12,648.11	\$10,115.07	(\$1.5)

This rate has been adjusted according to your loan servicing agreement.

This statement is provided for informational purposes only and is intended for the sole benefit of the named vested party.

This statement is not intended to represent a loan payoff quote. USA reserves the right to update and supplement this statement.

As of February 16, 2007, Compass Financial Partners, LLC ("CFP") became the servicer of most of the loan portfolio formerly serviced by USA Commercial Mortgage Company ("USACM"). Pending licensing by the State of Nevada, CFP will utilize USACM as a subservicer of these loans.

THIS STATEMENT REFLECTS ACTIVITY FROM 2/1/2007 TO 3/15/2007

# USA Commercial Mortgage Company

## Investor History Report

Vesting: Jack Humphry & Alice Humphry Trustees of the Humphry 1999 Trust

Loan: Margarita Annex

Client ID: 4113

Account ID: 3476

Loan Interest Rate: 13.00%

Original Service Fee: 1.00%

Current Service Fee: 1.00%

Date	Transaction	Investment	Principal Paid by Borrower	Principal Paid to Investor	Principal Owed to Investor	Unsecured / Diverted Principal	Interest Earned	Loan Service Fee Retained by USACM	Interest Paid by Borrower Net of Service Fee	Cumulative Amount Due	Interest Paid to Investor	Cumulative Amount Held for Investor
02/01/2007	-PRIOR MONTH ENDING BALANCES-	\$75,000.00					\$25,244.27	\$1,879.03	\$15,266.80	\$8,086.43	\$14,475.00	\$7
02/28/2007	Interest and Service Fee (2/1 - 2/28)	\$75,000.00					\$846.54	\$62.50		\$8,882.47		\$7
03/12/2007	Prepetition Service Fee Waiver	\$75,000.00						(\$25.00)		\$8,907.47		\$7
03/12/2007	Recoupment of Prepaid Interest	\$75,000.00								\$8,907.47	\$791.80	
03/12/2007	Transfer to Compass for Servicing	(\$75,000.00)								(\$8,907.47)		
TOTALS:		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$26,090.80	\$1,916.53	\$15,266.80	\$0.00	\$15,266.80	

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USA Commercial Mortgage Company  
Investor History Report

Vesting: Jack Humphry & Alice Humphry Trustees of the Humphry 1999 Trust

Loan: Amesbury/Hatters Point

Client ID: 4113

Account ID: 3476

Loan Interest Rate: 13.50%

Original Service Fee: 0.50%

Current Service Fee: 1.00%

Date	Transaction	A	B	C	D = B - C	E	F	G	H	I = F - G - H	J	K = H
		Investment	Principal Paid by Borrower	Principal Paid to Investor	Principal Owed to Investor	Unsecured / Diverted Principal	Interest Earned	Loan Service Fee Retained by USACM	Interest Paid by Borrower Net of Service Fee	Cumulative Amount Due Net of Service Fee	Interest Paid to Investor	Cumulative Amount Held to (Due for) Invest
02/01/2007	-PRIOR MONTH ENDING BALANCES-	\$36,631.19	\$3,368.81	\$3,368.80			\$21,244.03	\$1,007.82	\$16,332.63	\$3,903.57	\$15,755.14	\$5
02/28/2007	Interest and Service Fee (2/1 - 2/28)	\$36,631.19					\$428.61	\$30.53		\$4,301.66		\$5
03/12/2007	Recoupment of Prepaid Interest	\$36,631.19			\$0.01					\$4,301.66	\$577.49	\$5
03/12/2007	Recoupment of Prepaid Interest	\$36,631.19								\$4,301.66		
03/12/2007	Transfer to Compass for Servicing	(\$36,631.19)								(\$4,301.66)		
TOTALS:		\$0.00	\$3,368.81	\$3,368.81	\$0.00	\$0.00	\$21,672.64	\$1,038.35	\$16,332.63	\$0.00	\$16,332.63	

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